

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

| | | |
|-----------------------------|---|----------------------|
| CHUOLJOCK LIA and JAMES TAP |) | |
| LIA, |) | |
| |) | |
| Plaintiffs, |) | 4:08CV3160 |
| |) | |
| v. |) | |
| |) | |
| NEBRASKA DEPARTMENT OF |) | MEMORANDUM AND ORDER |
| CORRECTIONAL SERVICES, |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

This matter is before the Court on its own motion. The complaint in this matter was filed on July 28, 2008, by plaintiffs Chuoljock Lia and James Tap Lia (Filing No. 1.) However, the complaint was deemed deficient because it was not signed by James Tap Lia.¹ Under [Federal Rule of Civil Procedure 11](#), "[t]he court must strike an unsigned paper unless the omission is promptly corrected after being called to the attorney's or party's attention." [Fed. R. Civ. P. 11](#).

On August 14, 2008, the Clerk of the Court entered a Text Notice of Deficiency (Filing No. 7), and mailed a copy of this Notice along with a copy of the complaint's signature page to the address provided in the complaint. The deficiency was therefore called to plaintiffs' attention on or about August 14, 2008. Two months have passed since the Court mailed the Notice

¹ Plaintiff Chuoljock Lia has filed several complaints with similar signature deficiencies in this Court. (See e.g. Case Nos. 8:07CV89, 8:07CV115, and 4:07CV3104.)

of Deficiency, and James Tap Lia has yet to actually sign the complaint as required under Federal Rule of Civil Procedure 11. Accordingly, James Tap Lia will be dismissed from this action.

IT IS ORDERED:

1. James Tap Lia is dismissed as a plaintiff from this action.

2. Plaintiff Chuoljock Lia remains a plaintiff in this action and remains obligated to pay the full filing fee in accordance with the Court's memorandum and order granting his motion to proceed in forma pauperis.

DATED this 24th day of October, 2008.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court